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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 ALAN FLONNES,

12 Plaintiff,

13 v.

14 PROPERTY & CASUALTY
15 INSURANCE
16 COMPANY OF HARTFORD, *et al.*,

17 Defendants.

Case No. 2:12-CV-01065-KJD-CWH

ORDER

18 Before the Court is Defendant Property & Casualty Insurance Company of Hartford's Motion
19 for Reconsideration of Minute Order (#34).

20 Hartford filed an Emergency Motion to Exclude (#25) the expert testimony of Dennis Prince.
21 Hartford argued that, if the motion was not heard on an emergency basis, it would be forced to incur
22 costs to depose Prince and retain its own expert prior to the close of discovery. The District Judge
23 issued a minute order setting a shortened briefing schedule (#27).

24 Shortly thereafter, the Magistrate Judge issued a written order (#31) denying Hartford's
25 request to hear both the Emergency Motion to Exclude and a subsequently filed Emergency Motion
26

1 to Compel (#28) on an emergency basis and set a normal briefing schedule for both motions. The
2 Magistrate Judge found that the requests failed to comply with the applicable Local Rules and
3 indicated that the fact that neither party had sought to extend the discovery deadline weighed against
4 finding that this was an emergency.

5 Rather than file a motion to extend the discovery deadlines, Hartford filed a motion to vacate
6 (#32) which would have required Plaintiff's response to the Emergency Motion to Exclude to be
7 filed the next day. The District Judge denied the motion to vacate to avoid prejudice to Plaintiff
8 (#33).

9 Hartford again did not seek to extend the discovery deadlines and instead filed this Motion
10 for Reconsideration.¹ Requests for expedited consideration of motions put burdens on the non-
11 moving party, as well as the Court. Less drastic options, such a request to extend the discovery
12 deadlines are generally preferred. Because discovery in this matter is still open, the Emergency
13 Motion to Exclude (#25), the Motion to Limit Proposed Testimony (#29), and the Motion to Strike
14 (#30) are referred to the Magistrate Judge and will be heard according to the normal briefing
15 schedule. Accordingly, reconsideration is denied.

16 DATED this 10th day of April 2013.

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20 Kent J. Dawson
21 United States District Judge
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26 ¹ To its credit, prior to filing the latest motion, Hartford conferred with opposing counsel in an attempt to resolve the issue.